



State of Wisconsin  
Governor Scott Walker

---

**Department of Agriculture, Trade and Consumer Protection**  
Ben Brancel, Secretary

**To** EPA-registered pesticide producers in Wisconsin  
**From** Lori Bowman, Director, Bureau of Agrichemical Management  
**Date** March 6, 2013  
**RE** **EPA Pesticide Container and Containment Rule**

We would like to take this opportunity to remind you that the EPA Pesticide Container and Containment Rule is now fully in effect. The containment provisions of this rule took effect in 2009, and the container and labeling requirements took effect in 2011.

Because your business is an EPA-registered establishment, you may need to meet the new requirements in this rule, depending on your business activities. If it does fall under this rule, your establishment is subject to inspection under the rule. The Wisconsin Department of Agriculture, Trade and Consumer Protection is responsible for conducting inspections to check for compliance.

The rule affects **pesticide registrants, refillers, distributors and retailers**, as well as **end users** such as commercial applicators. *If your business deals only with antimicrobial pesticides, it may be exempt from most portions of the rule.* However, please do not assume that you are exempt. Check with us or with the EPA. Contact information is below.

Here is a very brief summary of the major provisions of the Pesticide Container and Containment Rule:

- **Nonrefillable containers** *This part of the rule applies only to **pesticide registrants**.* The provisions are intended to ensure that disposable containers are strong and durable, minimize human exposure when handling containers, and make disposal and recycling safer and easier.
- **Refillable containers** *This section also applies only to **pesticide registrants**.* These standards for reusable containers aim to ensure that containers are strong and durable, minimize cross-contamination, and encourage use of refillable containers.
- **Repackaging** *This section applies to **pesticide registrants** and **anyone who refills pesticide containers for sale** - registrants, formulators, distributors and dealers.* It describes safeguards for repackaging that are intended to minimize cross-contamination, codify safe refilling management practices, and encourage use of refillable containers.
- **Labeling** *This section applies to **pesticide registrants**, who are responsible for providing adequate labels, and **pesticide users** who must comply with label instructions.* The labeling provision specifies information that must appear on labels, including proper cleaning instructions and a statement identifying the container as refillable or nonrefillable.
- **Containment** *This section applies to **pesticide dealers who repackaging pesticides, commercial applicators, and custom blenders**.* Because Wisconsin's pesticide containment regulations for storage, secondary containment and mixing/loading pads are considered equivalent to the EPA's regulations, you will be in compliance as long as you continue meeting Wisconsin's pesticide containment requirements. You can find our state requirements at [http://datcp.wi.gov/Environment/Water\\_Quality/Pesticide\\_Fertilizer\\_Storage/index.aspx](http://datcp.wi.gov/Environment/Water_Quality/Pesticide_Fertilizer_Storage/index.aspx).

More detailed information is available on our web site: <http://datcp.wi.gov> -- search for "container rule". The site also links to EPA information online. You can also contact us anytime. Call or email Matt Sunseri, [matthew.sunseri@wi.gov](mailto:matthew.sunseri@wi.gov), 608-224-4547.

Thanks for your help in meeting these new requirements.

*Agriculture generates \$59 billion for Wisconsin*

2811 Agriculture Drive • PO Box 8911 • Madison, WI 53708-8911 • 608-224-5012 • [Wisconsin.gov](http://Wisconsin.gov)

An equal opportunity employer